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REMARKS

The Office action has been carefully considered. The Office action provisionally rejected claim 1 under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent Publication 2003/0131073. Further, the Office action rejected claims 1-3 under 35 U.S.C. § 112 as being indefinite. Further yet, the Office action rejected claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,018,343 to Wang et al. ("Wang") in view of *XML Unleashed* by Michael Morrison et al. Sam's Publishing, Indianapolis, IN, Dec. 1999. ("Morrison"). Claims 1-3 are canceled. Regarding the rejection of remaining claims 4-5, applicants respectfully disagree.

The Office action notes a failure pay all required fees regarding an extension of time when filing missing parts, indicating that the Notice to File Missing Parts was dated 1/17/2002 and that applicants, given two months to reply, submitted the missing documentation on 3/17/2002. This is exactly two months, and if so, no extension of time fee is due. Further, applicants submit that the Response to the Notice to File Missing Parts was actually mailed on 3/15/2002, as indicated in the certificate of mailing submitted herewith in a copy of the Response. Further, the Response authorized the Patent Office to charge any underpayment to a deposit account. Applicants thus submit that no extension of time fee is in arrears; notwithstanding, if for some reason applicants are not correct, applicants have again authorized the Patent Office to charge any underpayment to a deposit account as set forth on the transmittal accompanying this response.

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By present amendment, claims 1-3 have been canceled. Applicants submit that the claims as filed were patentable over the prior art of record, and that the amendments herein are for purposes of clarifying the claims and/or for expediting allowance of the claims and not for reasons related to patentability. Reconsideration is respectfully requested.

Applicants thank the Examiner for the interview held (by telephone) July 7, 2005. During the interview, the Examiner and applicants' attorney discussed the claims with respect to the prior art. The essence of applicants' position is incorporated in the remarks below.

Prior to discussing reasons why applicants believe that the claims in this application are clearly allowable in view of the teachings of the cited and applied references, a brief description of the present invention is presented.

The present invention is directed to a system and method for using a categories service that allows for central (e.g., over the internet) access to specific data typically stored on a server computer. See generally FIG. 4 and pages 15-16 of the specification. Calendar data, typically provided in a format such as calendars for users, may include typical calendar-related information, a user's calendar store, and the methods by which calendar data is sent and received from the store. The data may be stored in the form of a content document (for example, content document 422) and the information that designates access to the data may be stored in the form of a logical calendar document (for example, roleList document 420). These logical documents may be part of a schema (for example,

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service schema 416) for providing the information about the structure of data stored in the system.

Such a system is advantageous for storing calendar information and the like so that users may obtain various calendar data, such as, for example, information about particular dates, such as birthdays, may be stored with other dates by designating birthdays as a calendar of dates. Thus, because the information may be organized from the perspective of the information itself, the calendar data may be accessible from any device capable of connecting to the internet. Since the schema may provide the information about the structure of data, any device of any platform or communication protocol may access the data.

One embodiment of the present invention features a system and method for providing a schema for coordinating the access, manipulation, and retrieval of data. The schema may be a function of the class of service. For example, the schema may be directed to data structures typically used in common database platforms that store data about calendars, *i.e.*, a calendar schema. Examples of calendar information include date, time, and attendees.

When another computing device wishes to access or retrieve the data, it may first be determined whether the device has permission to access or retrieve the data. As mentioned above, the calendar service may include a logical calendar document that may describe a scope of access rights, such as which users have what type of access to which data. For example, a data owner may typically have read/write access to his or her own data, and can provide various types of access to that data to other users based on their IDs, (*e.g.*, read only to some users,

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read/write to others). Thus, when a user wishes to set the scope as defined in the

logical calendar document, the user may send a request to manipulate the data

stored in the logical calendar document which controls the scope. In response to

the request, at least one set of data in a logical calendar document (data that

corresponds to associated identity information) may be manipulated based on the

type of request. In this way, each set of data in the logical calendar document

corresponds to a related field in the calendar schema and determines the scope of

access rights for users according to their identity information. Note that the above

description is for example and informational purposes only, and should not be used

to interpret the claims, which are discussed below.

Turning to the claims, amended claim 4 recites in a computer network, a

method comprising, receiving a request from a device having a service running

thereon using a service-to-service protocol to retrieve calendar data from a data

store, the request including associated identity information, reading from a the data

store to obtain calendar data in response to the request, wherein access to the

data store based on the associated identity information, constructing a calendar

document including at least part of the requested calendar data and including a

defined schema for calendar data, the defined schema operable to be interpreted

by the service running on the device, and returning the calendar document to the

device in response to the request.

The Office action rejected claim 4 as being unpatentable over Wang in view

Morrison. More particularly, the Office action contends that Wang teaches

receiving a request to retrieve calendar data, the request including associated

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identity information. Column 7, lines 38-60 of Wang is referenced. Further, the

Office action contends that Wang teaches reading from a the data store to obtain

calendar data based on the associated identity information. Column 7, lines 45-60

of Wang is referenced. Further yet, the Office action contends that Wang teaches

returning the document in response to the request. Column 6, line 65 to column 7,

line 8 of Wang is referenced. The Office action acknowledges that Wang fails to

teach the remaining recitations of claim 4. However, the Office action contends

that Morrison does teach the remaining recitations. More specifically, the Office

action contends that Morrison teaches constructing a calendar document including

at least part of the data, the document arranged according to a defined schema for

calendar data. Page 26 of Morrison is referenced. Applicants respectfully

disagree.

Wang is directed, generally, to a web-based, client-side, calendar system

such that multiple users may use a centrally located calendar system for event

scheduling and such. The particular sections of Wang cited by the Office action

disclose common calendaring functions available to users, such as any number of

manipulations to the web-based calendar available via a typical application

programming interface. Thus, Wang discloses an example of a web-based

application that may be interacted with via client computers such that a central

database (*i.e.*, the Web Calendar of Wang) maintains information for several users.

The system in Wang, however, presumes that both the client-side computer and

the server-side computer have corresponding programs that interact with each

other. That is, in order for the Web Calendar to interact with a client, an

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application, called Capplet, must necessarily be installed on the client computer.
See Fig. 3 and column 3, lines 35-68. Thus, Wang embodies a system with the
very problem that the invention seeks to solve, namely that both the server-side
application and the client-side application (e.g., of Wang) co-exist and require
intimate knowledge about each other in order to communicate, manipulate data,
and generally interact.

Morrison is directed, generally, to basic methods and programming tenets of
using XML. The specific references to Morrison, as cited in the Office action, detail
the use of schemas within the context of databases and XML programming.
However, Morrison is nothing more than an example of well-known XML and
database programming tenets in which the present invention uses to implement
new and non-obvious methods and systems

To establish *prima facie* obviousness of a claimed invention, all of the claim
recitations must be taught or suggested by the prior art; (*In re Royka*, 490 F.2d
981, 180 USPQ 580 (CCPA 1974)), and "all words in a claim must be considered in
judging the patentability of that claim against the prior art;" (*In re Wilson*, 424 F.2d
1382, 1385, 165 USPQ 494, 496 (CCPA 1970)). Further, if prior art, in any
material respect teaches away from the claimed invention, the art cannot be used
to support an obviousness rejection. *In re Geisler*, 116 F.3d 1465, 1471, 43
USPQ2d 1362, 1366 (Fed Cir. 1997). Moreover, if a modification would render a
reference unsatisfactory for its intended purpose, the suggested modification /
combination is impermissible. See MPEP § 2143.01

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Applicants submit that the Office action has failed to establish a *prima facie* case for obviousness with respect to claim 4. Neither Wang nor Morrison teach or even suggest the concept of a service-based method as recited in claim 4. That is, neither Wang nor Morrison disclose anywhere (whether considered alone or in any permissible combination) any cognizance of using a service to communicate information form a source to a destination, much less teach or suggest using a schema-based service for calendar data. As discussed above, both Wang and Morrison are directed to methods of manipulating data entirely within a database and do not come close to teaching or even suggesting the recitations of claim 4. Specifically, neither Wang nor Morrison teach or suggest "receiving a request from a device having a service running thereon using a service to service protocol ... constructing a calendar document including a defined schema for calendar data... and, the defined schema operable to be interpreted by the service running on the device" as recited in claim 4.

Furthermore, nowhere in Wang or Morrison can there be found any teaching that can possibly be construed as constructing a calendar document including at least part of the requested calendar data, and including a defined schema for calendar data, the defined schema operable to be interpreted by the service running on the device, as recited in claim 4. Having a calendar document that includes both requested data and a schema for interpreting the data eliminates the need for client-side and server-side programs to be interrelated. The system of Wang relies on this interrelation, as any mechanism used to interpret communications between the client and the server are only able to be interpreted

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necessarily because specific customized information resides in each respective

application. Certainly, the teachings of Morrison (e.g., how to use XML to realize a

schema in a database) do not cure this deficiency. For at least these reasons,

applicants submit that claim 4 is allowable over Wang, Morrison, or any other prior

art of record whether considered individually, together, or in any permissible

combination.

Applicants respectfully submit that dependent claims 5-11 (specifically claim

5 that was rejected by the Office action), by similar analysis, are allowable. Each

of these claims depends either directly or indirectly from claim 4 and consequently

includes the recitations of independent claim 4. As discussed above, Wang and

Morrison, whether considered individually or in any permissible combination with

each other or any other prior art of record, fail to disclose the recitations of claim 4

and therefore these claims are also allowable over the prior art of record. In

addition to the recitations of claim 4 noted above, each of these dependent claims

includes additional patentable elements.

Newly added claims 12-13 also recite similar language to claim 4 as

generally embodied in a computer-readable medium. As such, similar arguments

to the arguments presented above with respect to claim 4, also apply to claims 12-

13. Thus applicants submit that claims 12-13 are also patentable.

Likewise, newly added claims 14-23 are also patentable for similar reasons.

As such, similar arguments to the arguments presented above with respect to claim

4, also apply to claims 14-23. Thus applicants submit that claims 14-23 are also

patentable.

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For at least these additional reasons, applicants submit that all the claims
are patentable over the prior art of record. Reconsideration and withdrawal of the
rejections in the Office action is respectfully requested and early allowance of this
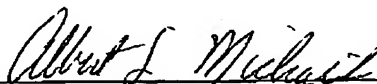application is earnestly solicited.

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CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that claims 4-23

are patentable over the prior art of record, and that the application is in good and

proper form for allowance. A favorable action on the part of the Examiner is

earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the

prosecution of the subject application, the Examiner is invited to call the

undersigned attorney at (425) 836-3030.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Response, Petition for Extension of Time, Credit Card

Payment Form, along with transmittal and facsimile cover sheet, are being

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accordance with 37 C.F.R. 1.6(d) on the date shown below:

Date: August 29, 2005

Albert S. Michalik
Albert S. Michalik

3090 Amendment

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